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Attorneys for Defendant  
 WELLS FARGO BANK, N.A., on behalf of itself and  
 as successor by merger with WACHOVIA  
 MORTGAGE, FSB, erroneously sued as WACHOVIA  
 CORPORATION

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, OAKLAND COURTHOUSE

QU, YAN, an individual; LI, MAN, an individual,

Plaintiffs,

vs.

HUANG, MIKE, an individual;  
 ZIPREALTY, INC.; a California  
 Corporation; QUEZADA, MICHAEL, an  
 individual; FEDERAL NATIONAL TITLE  
 COMPANY, INC. aka FEDERAL  
 NATIONAL COMPANY OF  
 CALIFORNIA aka FEDERAL NATIONAL  
 TITLE INSURANCE COMPANY, a  
 California Corporation; WACHOVIA  
 CORPORATION, an unknown business  
 entity; WELLS FARGO BANK, N.A., an  
 unknown business entity; FEDERAL  
 HOME LOAN MORTGAGE  
 CORPORATION, an unknown business  
 entity; and DOES 1 through 100, inclusive,

Defendants.

Case No. 4:13-CV-06005-CW

**STIPULATION TO CONTINUE CASE  
 MANAGEMENT CONFERENCE AND  
 INITIAL DISCLOSURES**

Judge: Hon. Claudia Wilken

**STIPULATION**

Plaintiffs YAN QU and MAN LI (collectively "Plaintiffs") and Defendants Wells Fargo Bank, N.A. as successor by merger with WACHOVIA MORTGAGE, FSB ("Wells Fargo"), MIKE HUANG ("HUANG"), ZIPREALTY, INC ("ZIP) and FEDERAL HOME

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 Irvine, CA 92618

1 LOAN MORTGAGE CORPORATION ("FHLM"), by and through their respective counsel  
2 of record, hereby stipulate as follows:

3 WHEREAS on April 24, 2013, Plaintiffs filed the above-referenced action in state  
4 court against Defendants HUANG, ZIP, WFB and FHLM as well as former party  
5 Defendants MICHAEL QUEZADA and FEDERAL NATIONAL TITLE COMPANY,  
6 INC. aka FEDERAL NATIONAL COMPANY OF CALIFORNIA aka FEDERAL  
7 NATIONAL TITLE INSURANCE COMPANY alleging causes of action for: (1)  
8 Negligence; (2) Negligent Infliction of Emotional Distress; (3) Breach of Contract; and (4)  
9 Misrepresentation;

10 WHEREAS following Demurrers by certain of the Defendants, on December 13,  
11 2013, Plaintiffs filed a Second Amended Complaint in state court;

12 WHEREAS on December 31, 2013, FHLM removed the action to federal court;

13 WHEREAS on January 2, 2014, this lawsuit was assigned to Magistrate Judge  
14 Maria-Elena James;

15 WHEREAS on January 2, 2014, Magistrate Judge James issued a Notice of Initial  
16 Case Management Conference for April 3, 2014 at 10:00 a.m.;

17 WHEREAS on January 17, 2014, Wells Fargo filed a Motion to Dismiss scheduled  
18 for hearing on February 27, 2014;

19 WHEREAS on January 27, 2014, FHLM declined to proceed before Magistrate  
20 Judge James;

21 WHEREAS on January 28, 2014, this matter was reassigned to Judge Hon. Charles  
22 R. Breyer;

23 WHEREAS on January 30, 2014, Judge Breyer issued an Order of Recusal;

24 WHEREAS on January 31, 2014, this matter was reassigned to Judge Hon. Claudia  
25 Wilken;

26 WHEREAS on February 5, 2014 Judge Wilken re-scheduled the Initial Case  
27 Management Conference for April 2, 2014 at 2:00 p.m.;

1 WHEREAS on February 10, 2014, FHLM filed a Motion to Dismiss scheduled for  
2 hearing on March 13, 2014;

3 WHEREAS the Court continued the hearings of Wells Fargo's and FHLM's  
4 Motions to Dismiss until March 20, 2014;

5 WHEREAS on March 20, 2014, the Court on its own motion took Wells Fargo's and  
6 FHLM's Motions to Dismiss under submission on the papers and vacated the hearing of  
7 March 20, 2014;

8 WHEREAS the Court has not yet ruled on Wells Fargo's and FHLM's Motions to  
9 Dismiss;

10 WHEREAS on March 24, 2014, counsel Plaintiffs and Defendants met and  
11 conferred and agreed that it is premature to hold a Case Management Conference on April  
12 2, 2014, in light of Wells Fargo's and FHLM's pending Motions to Dismiss and possible  
13 leave to amend being granted by the Court;

14 WHEREAS the parties agree that the Case Management Conference should be  
15 continued to allow time for the lawsuit to become at issue and, thus, allow the parties to  
16 meaningfully and productively confer regarding further proceedings, including, the setting  
17 of discovery, pre-trial, and trial deadlines and dates;

18 WHEREAS for the same reasons, the parties also wish to continue the last day to  
19 complete initial disclosures or state objections to such in a Federal Rule of Civil Procedure  
20 Rule 26(f) ("Rule 26") Report, to file and serve a Case Management Statement, to file and  
21 serve a Rule 26 Report, to file and serve an ADR Certification, and to file and serve a  
22 Stipulation to ADR Process or Notice of Need for ADR Phone Conference;

23 WHEREAS no prior continuances have been requested nor granted with respect to  
24 the Case Management Conference.

25 NOW THEREFORE, the parties hereby stipulate and agree, and request the Court to  
26 order, as follows:

27 1. The Case Management Conference presently scheduled for April 2, 2014 be  
28 continued to July 16, 2014.

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Irvine, CA 92618

2. No later than July 2, 2014, the parties shall: (1) meet and confer regarding Rule 26 initial disclosures, early settlement, ADR process selection and a discovery plan; (2) file an ADR Certification signed by the parties and counsel pursuant to A.D.R. L.R.3-5(b); and (3) file either a Stipulation to ADR Process or Notice of Need for ADR Phone Conference pursuant to A.D.R. L.R. 3-5(b) & (c).

3. No later than July 9, 2014, the parties shall file the Rule 26 Report, complete initial disclosures, state objections in the Rule 26 Report, and file a Joint Case Management Statement.

**AGREED TO AND ACCEPTED BY:**

Dated: March 25, 2014

CRAFTS LAW FIRM PC

By: \_\_\_\_\_

Angelo A. DuPlantier III  
Attorneys for Defendant  
WELLS FARGO BANK, N.A., on  
behalf of itself and as successor by  
merger with WACHOVIA  
MORTGAGE, FSB, erroneously sued  
as WACHOVIA CORPORATION

Dated: March , 2014

INTER-PACIFIC LAW GROUP, INC.

By: \_\_\_\_\_

Arthur J. Liu  
Attorneys for Plaintiffs  
YAN QU and MAN LI

Dated: March , 2014

McCARTHY & HOLTHUS, LLP

By: \_\_\_\_\_

David C. Scott  
Attorneys for Defendant  
FEDERAL HOME LOAN  
MORTGAGE

[Signatures continue onto page 4]

1 2. No later than July 2, 2014, the parties shall: (1) meet and confer regarding  
2 Rule 26 initial disclosures, early settlement, ADR process selection and a discovery plan;  
3 (2) file an ADR Certification signed by the parties and counsel pursuant to A.D.R. L.R.3-  
4 5(b); and (3) file either a Stipulation to ADR Process or Notice of Need for ADR Phone  
5 Conference pursuant to A.D.R. L.R. 3-5(b) & (c).

6 3. No later than July 9, 2014, the parties shall file the Rule 26 Report, complete  
7 initial disclosures, state objections in the Rule 26 Report, and file a Joint Case Management  
8 Statement.

9 **AGREED TO AND ACCEPTED BY:**

10 Dated: March \_\_\_\_\_, 2014

CRAFTS LAW FIRM PC

11  
12 By: \_\_\_\_\_

13 Angelo A. DuPlantier III  
14 Attorneys for Defendant  
15 WELLS FARGO BANK, N.A., on  
16 behalf of itself and as successor by  
merger with WACHOVIA  
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17 Dated: March 25, 2014

INTER-PACIFIC LAW GROUP, INC.

18  
19 By:  \_\_\_\_\_

20 Arthur J. Liu  
21 Attorneys for Plaintiffs  
YAN QU and MAN LI

22 Dated: March , 2014

McCARTHY & HOLTHUS, LLP

23  
24 By: \_\_\_\_\_

25 David C. Scott  
26 Attorneys for Defendant  
FEDERAL HOME LOAN  
MORTGAGE

27 [Signatures continue onto page 4]  
28

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Irvine, CA 92618

2. No later than July 2, 2014, the parties shall: (1) meet and confer regarding Rule 26 initial disclosures, early settlement, ADR process selection and a discovery plan; (2) file an ADR Certification signed by the parties and counsel pursuant to A.D.R. L.R. 3-5(b); and (3) file either a Stipulation to ADR Process or Notice of Need for ADR Phone Conference pursuant to A.D.R. L.R. 3-5(b) & (c).

3. No later than July 9, 2014, the parties shall file the Rule 26 Report, complete initial disclosures, state objections in the Rule 26 Report, and file a Joint Case Management Statement.

**AGREED TO AND ACCEPTED BY:**

Dated: March \_\_\_\_\_, 2014

CRAFTS LAW FIRM PC

By: \_\_\_\_\_

Angelo A. DuPlantier III  
Attorneys for Defendant  
WELLS FARGO BANK, N.A., on  
behalf of itself and as successor by  
merger with WACHOVIA  
MORTGAGE, FSB, erroneously sued  
as WACHOVIA CORPORATION

Dated: March \_\_\_\_\_, 2014

INTER-PACIFIC LAW GROUP, INC.

By: \_\_\_\_\_

Arthur J. Liu  
Attorneys for Plaintiffs  
YAN QU and MAN LI

Dated: March 25, 2014

MCCARTHY & HOLTHUS, LLP

By:  \_\_\_\_\_

David C. Scott  
Attorneys for Defendant  
FEDERAL HOME LOAN  
MORTGAGE

[Signatures continue onto page 4]

1 Dated: March , 2014

SPECTER & WILLOUGHBY, LLP

2  
3 By:                     

4 Mark A. Rodriguez  
5 Attorneys for Defendants  
6 MIKE HUANG and ZIPREALTY, INC.  
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Irvine, CA 92618

**ORDER**

Good cause appearing, it is so ordered as follows:

1. No later than July 2, 2014, the parties shall: (1) meet and confer regarding Rule 26 initial disclosures, early settlement, ADR process selection and a discovery plan; (2) file an ADR Certification signed by the parties and counsel pursuant to A.D.R. L.R. 3-5(b); and (3) file either a Stipulation to ADR Process or Notice of Need for ADR Phone Conference pursuant to A.D.R. L.R. 3-5(b) & (c).
2. No later than July 9, 2014, the parties shall file the Rule 26 Report, complete initial disclosures, state objections in the Rule 26 Report, and file a Joint Case Management Statement.
3. The Case Management Conference currently scheduled for April 2, 2014 is continued to July 16, 2014 at 2:00 p.m.

IT IS SO ORDERED, except that the case management conference will be held on July 23, 2014, at 2:00 p.m. The case management statement will be due 7/16/2014.

Dated: 3/26/2014

  
Hon. Claudia Wilken  
Judge, United States District Court



**PROOF OF SERVICE**

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action. My business address is 100 Pacifica, Suite 140, Irvine, CA 92618.

On March 25, 2014, I served the within document(s) described as:

- ***STIPULATION TO CONTINUE CASE MANAGEMENT CONFERENCE AND INITIAL DISCLOSURES AND [PROPOSED] ORDER***

on the interested parties in this action as stated on the attached mailing list.

☐ (BY MAIL) By placing a true copy of the foregoing document(s) in a sealed envelope addressed as set forth on the attached mailing list. I placed each such envelope for collection and mailing following ordinary business practices. I am readily familiar with this Firm's practice for collection and processing of correspondence for mailing. Under that practice, the correspondence would be deposited with the United States Postal Service on that same day, with postage thereon fully prepaid at Irvine, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

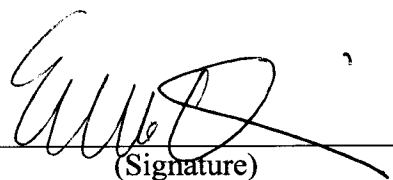
☐ (BY OVERNIGHT DELIVERY) I deposited in a box or other facility regularly maintained by Federal Express, an express service carrier, or delivered to a courier or driver authorized by said express service carrier to receive documents, a true copy of the foregoing document(s) in a sealed envelope or package designated by the express service carrier, addressed as set forth on the attached mailing list, with fees for overnight delivery paid or provided for.

☒ (BY E-MAIL) By transmitting a true copy of the foregoing document(s) to the e-mail addresses set forth on the attached mailing list, *Via NEF*.

I am employed in the office of a member of the bar of this court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on March 25, 2014, at Irvine, California.

ERMINIA OLIVAS  
(Type or print name)

  
(Signature)

*QU, Yan, et. al.*  
vs.  
*HUANG, Mike, et. al*  
Case No.: 4:13-CV-06005-CW

**SERVICE LIST**

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*(Via NEF)*

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*MIKE HUANG and ZIPREALTY, INC.*  
*(Via NEF)*

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